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Security Council
Fifty-fourth Year

Provisional

3989th Meeting
Friday, 26 March 1999, 11 a.m.
New York

President:	Mr. Qin Huasun	(China)
Members:	Argentina	Mr. Petrella
	Bahrain	Mr. Buallay
	Brazil	Mr. Cordeiro
	Canada	Mr. Fowler
	France	Mr. Dejammet
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Malaysia	Mr. Rastam
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Burleigh

Agenda

Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1999/320)

99-85215 (E)

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The meeting was called to order at 11.15 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1999/320)

The President (*spoke in Chinese*): In accordance with the decisions taken at its 3988th meeting, I invite the representatives of Albania, Belarus, Bosnia and Herzegovina, Germany and India to take the seats reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Nesho (Albania), Mr. Sychou (Belarus), Mr. Sacirbey (Bosnia and Herzegovina), Mr. Kastrup (Germany) and Mr. Sharma (India) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Chinese*): In accordance with the decision taken at the 3988th meeting, I invite Mr. Vladislav Jovanović to take a seat at the Council table.

At the invitation of the President, Mr. Jovanović took a seat at the Council table.

The President (*spoke in Chinese*): I should like to inform the Council that I have received letters from the representatives of Cuba and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Rodríguez Parrilla (Cuba) and Mr. Yel'chenko (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Chinese*): The Security Council will now resume its consideration of the item on its agenda.

As was done at the 3988th meeting, I should like to recall Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998).

Members of the Council have before them document S/1999/328, which contains the text of a draft resolution submitted by Belarus and the Russian Federation. India has joined in sponsoring the draft resolution contained in document S/1999/328.

Members of the Council also have before them documents S/1999/327, letter dated 24 March 1999 from the Chargé d'affaires *ad interim* of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council; S/1999/331, letter dated 25 March 1999 from the Permanent Representative of Tajikistan addressed to the Secretary-General; S/1999/332, letter dated 24 March 1999 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General; S/1999/335 and S/1999/336, letters dated 25 March 1999 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General; and S/1999/338, letter dated 25 March 1999 from the Secretary-General addressed to the President of the Security Council, transmitting a letter dated 23 March 1999 from the Secretary-General of the North Atlantic Treaty Organization.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Fowler (Canada) (*spoke in French*): The draft resolution before us today demands an immediate cessation of the hostilities and urgent resumption of negotiations. What has the entire international community been doing since the beginning of the humanitarian crisis in Kosovo if not negotiating urgently and actively in order to avert this escalation? We dispatched many diplomatic missions and special envoys to Belgrade, under the auspices of the United Nations, of the North Atlantic Treaty Organization and of the Organization for Security and Cooperation in Europe. We also engaged on many occasions in bilateral initiatives aimed at convincing President Milosevic of the seriousness of our intentions.

We deployed an international monitoring force and organized a major peace conference. The Security Council adopted a number of resolutions and presidential statements precisely asking President Milosevic to put an end to the brutal repression perpetrated against his fellow-citizens. During that process, President Milosevic took advantage of the international community's good intentions to continue and even intensify his tactic of repression in Kosovo — even while negotiations were under way — in obvious violation of the relevant resolutions of the Security Council and of the commitments he undertook last October.

(*spoke in English*)

Having done so only 36 hours ago, I do not need to reiterate the extent of the humanitarian crisis in Kosovo. I would, however, remind those members of the Council who need reminding that thousands have died and many hundreds of thousands remain homeless and at the mercy of extremely harsh winter conditions. Hourly their numbers increase; their homes and farms have been looted and burned and their livestock slaughtered.

Those who would support this draft resolution place themselves outside the international consensus, which holds that the time has come to stop the continuing violence perpetrated by the Government of the Federal Republic of Yugoslavia against its own people. Rather than bringing forward this unproductive draft resolution in an attempt to divert attention from the fundamental humanitarian issue, these countries might more usefully have directed their energies towards convincing the leaders in Belgrade to stop the violence against their people and to accept the Rambouillet peace agreement.

As proposed, this draft resolution would serve only to grant President Milosevic free rein to finish the brutal job he started last year and has since continued to such deadly effect, most prominently at Racak.

For these reasons, Canada will vote against this draft resolution.

Mr. Türk (Slovenia): Slovenia will vote against the draft resolution submitted for action by the Security Council today. The text represents, in our opinion, an inadequate attempt to address the situation concerning Kosovo. It takes a selective political view of the situation and lacks the objectivity necessary in a resolution of the Security Council. The draft resolution ignores the fact that several months ago the Security Council declared the situation in Kosovo to be one constituting a threat to peace and security in the region.

Furthermore, the draft resolution ignores the fact that the Security Council has already spelled out the requirements for the removal of that threat and the fact that those requirements were flagrantly violated by the Federal Republic of Yugoslavia (Serbia and Montenegro). The most dangerous among those violations is the ongoing massive military offensive by the military and security forces of the Federal Republic of Yugoslavia, affecting the civilian population in Kosovo.

All these and other obstacles to the implementation of the resolutions adopted by the Security Council under Chapter VII of the United Nations Charter are ignored in the draft resolution. It appears as if the draft resolution were intended to redefine the assessment of the factual situation contained in resolutions 1160 (1998), 1199 (1998) and 1203 (1998). Proceeding from such a fundamentally flawed factual assessment, the text tries to invoke some of the basic norms of the United Nations Charter. The draft resolution fails to address the relevant circumstances and ignores the situation of necessity which has led to the current international military action. Furthermore, the draft resolution does not even address the stated reasons for that military action, let alone provide any argument against those reasons. Instead, in its third preambular paragraph, it describes that action as a "flagrant violation of the United Nations Charter". The political jargon of "flagrant violation" cannot conceal the lack of convincing argument.

Furthermore, the draft resolution completely fails to reflect the practice of the Security Council, which has several times, including on recent occasions, chosen to remain silent at a time of military action by a regional organization aimed at the removal of a regional threat to peace and security. It is true that each case is unique. However, the requirement of consistency in the interpretation and application of the principles and norms of the United Nations Charter demands at least some indication as to the specific justification for the approach proposed by the draft resolution in the present case. Such indication is sadly lacking and, as I mentioned before, cannot be replaced by the strong words we see in the draft resolution.

For these reasons, the delegation of Slovenia will vote against the draft resolution proposed for action today.

Before concluding, I wish to make an additional, general point. The use of force by the Belgrade Government against the civilian population created a situation that made the current military action inevitable. We would have preferred such military action to be fully authorized by the Security Council; however, that was not possible for reasons that we explained during the discussions of the Security Council two days ago. In the present circumstances, it is important to be aware that, according to the Charter, the Security Council has the primary but not exclusive responsibility for the maintenance of international peace and security. At a moment like this, all the Council members have to think hard about what needs to be done to ensure the Council's authority and to make its primary responsibility as real as the Charter requires.

Mr. van Walsum (Netherlands): Just over five months ago, the adoption of Security Council resolution 1203 (1998) was greeted with relief in the Netherlands, because it was felt that with all the pressure applied on Belgrade in that resolution, it should at last be possible to make President Milosevic see reason and accept a peaceful solution to the problem of Kosovo.

The resolution clearly stated that the Security Council was acting under Chapter VII of the Charter of the United Nations. In the resolution, the Security Council expressed its deep alarm at the impending humanitarian catastrophe in Kosovo, emphasizing the need to keep this from happening. It endorsed and supported the agreements signed in Belgrade between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe and between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO) respectively, and demanded the full and prompt implementation of these agreements by the Federal Republic of Yugoslavia.

Being aware of its strong commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, we were grateful to Russia for having contributed to this pressure being brought to bear on the Yugoslav leadership.

Since then, however, at every critical juncture Russia has somehow succeeded in making the pressure less credible, so that in the end NATO had no choice but to make good on its threat, which was initially meant to bring about a peaceful solution to the Kosovo crisis. It is legitimate to make a threat hoping that it need never be carried out, but ultimately one must also be prepared to bring a threat into effect. The alternative, which we could not seriously contemplate, would have been to sit back and simply let the humanitarian catastrophe occur.

The NATO action, in which we are participating, follows directly from resolution 1203 (1998), in conjunction with the flagrant non-compliance on the part of the Federal Republic of Yugoslavia. Given its complex background, we cannot allow it to be described as unilateral use of force. If the Security Council should now demand an immediate cessation of the NATO action, it would once again — and once again at the initiative of Russia — give the wrong signal to President Milosevic, leading to a further prolongation of the bloodshed in Kosovo.

It is for this reason that the Netherlands will vote against the draft resolution before us.

Mr. Burleigh (United States of America): The United States greatly appreciates the broad support for the North Atlantic Treaty Organization (NATO) shown in the Security Council this past Wednesday and around the world in the past several days. We emphasize that we and our allies began military action only with the greatest reluctance, after all peaceful options had been thoroughly exhausted. By rejecting a peace settlement and escalating its assault on the people of Kosovo — in violation of numerous Security Council resolutions — Belgrade chose the path of war.

Belgrade continues to attack innocent Kosovars. We have received disturbing reports that Federal Republic of Yugoslavia forces are using human shields, that non-combatants are being rounded up in large groups and that some are being summarily executed. Attempts to verify these reports have been obstructed by the Belgrade Government, which has cracked down on independent journalists in Yugoslavia, harassed and expelled international media, and clamped down on independent human rights groups.

Even today Federal Republic of Yugoslavia forces are pressing their offensive against civilians, burning and looting, and attacking Kosovar Albanian political leaders. Some 60,000 people have been forced to flee their homes since the last round of peace talks began in France, and that number is increasing daily. It stands now at more than 250,000 displaced persons — one in 10 of Kosovo's population. This is a humanitarian catastrophe.

Large refugee flows out of Kosovo into neighbouring countries could have a serious and destabilizing effect. The stability of Albania, of Bosnia and Herzegovina, of the former Yugoslav Republic of Macedonia and of the rest of the region is at stake.

These developments justify sustained military action to limit Belgrade's ability to threaten and harm innocent civilians in Kosovo.

I want to be very clear about the following. We appreciate very much the enormous contribution the Russian Federation has made to advance the cause of peace in Kosovo and in the Balkans, in particular in the context of the Contact Group. The Group's efforts to uphold human rights and to negotiate an equitable settlement to the crisis have been endorsed on several occasions by this Council.

The avenue to peace is clear. In resolutions 1199 (1998) and 1203 (1998) the Security Council laid out the steps Belgrade must take to resolve this crisis. Belgrade, however, has chosen to defy repeatedly the will of the international community.

The draft resolution before us today alleges that NATO is acting in violation of the United Nations Charter. This turns the truth on its head. The United Nations Charter does not sanction armed assaults upon ethnic groups, or imply that the international community should turn a blind eye to a growing humanitarian disaster.

NATO's actions are completely justified. They are necessary to stop the violence and to prevent a further deterioration of peace and stability in the region. The authorities of the Federal Republic of Yugoslavia could quickly bring NATO's actions to a halt by ceasing their brutal attacks against the people of Kosovo and moving to a peace agreement.

This draft resolution should be defeated. If adopted, it could only encourage President Milosevic to continue or even to intensify military repression of the civilian population of Kosovo. Furthermore, if adopted, it would damage prospects for a negotiated settlement and make further bloodshed more likely. In short, the draft resolution does nothing to advance the cause of peace in the Balkans, a cause that the international community and the Security Council have worked long and hard to achieve.

Mr. Lavrov (*spoke in Russian*): At the 24 March Security Council meeting the Russian delegation set forth its principled assessment of the unilateral use of force against the Federal Republic of Yugoslavia by the member countries of the North Atlantic Treaty Organization (NATO). The continuing military action, undertaken under the pretext of preventing a humanitarian catastrophe, has already caused severe humanitarian consequences and done serious damage to the efforts to find a political settlement in Kosovo. This again confirms how justified we were in stating the absolute need for scrupulous compliance by all States with international law.

The attempts, repeated today, to justify this lawlessness cannot be taken seriously, just as one cannot take seriously the statements, bordering on blackmail, that those who vote in favour of the draft resolution will place themselves outside of the consensus. To the contrary: those who vote against it will place themselves in a situation of lawlessness.

With regard to attempts to distort Russia's position, I would like to recall here that today it was precisely Russia that was in favour of convening an urgent meeting of the ministers of the Contact Group if the military action were to cease.

The aggressive military action unleashed by NATO against a sovereign State without the authorization and in circumvention of the Security Council is a real threat to international peace and security and a gross violation of the United Nations Charter and other basic norms of international law. Key provisions of the Charter are being violated, in particular Article 2, paragraph 4, which requires all Members of the United Nations to refrain from the threat or use of force in their international relations, including against the territorial integrity or political independence of any State; Article 24, which entrusts the Security Council with the primary responsibility for the maintenance of international peace and security; Article 53, on the inadmissibility of any enforcement action under regional arrangements or by regional agencies without the authorization of the Security Council; as well as others.

The illegal use of force by NATO not only destabilizes significantly the situation in the Balkans and in Europe as a whole, but it also directly undermines the fundamental bases of the entire modern system of international relations, which is based on the primacy of the United Nations Charter. One's worst fears are now

being fulfilled. The virus of lawlessness is spreading to ever more spheres of international relations. The latest example was the ban declared by NATO on any civil aviation flights in the airspace of the Federal Republic of Yugoslavia, Bosnia and Herzegovina, Macedonia and Croatia. In undertaking this ban, NATO decided to control the fate of other States. That is a gross violation of the principle of the exclusive sovereignty of a State over the airspace above its territory, which is enshrined in the article 1 of the Chicago Convention.

The Security Council cannot and should not remain passive in this situation, which, we are profoundly convinced, runs counter to the fundamental interests of the overwhelming majority of States. Accordingly, the Russian Federation submitted, together with the Republic of Belarus and India, a draft resolution for the consideration of the Security Council that contains a demand for the immediate cessation of the use of force against the Federal Republic of Yugoslavia and that calls for an urgent resumption of talks. A solution of precisely this kind should be urgently sought by the international community if it is really interested in preventing unilateral approaches and the prevalence of force in world affairs.

We know that many members of the Security Council are racked with doubts over this vote. What is in the balance now is the question of law and lawlessness. It is a question of either reaffirming the commitment of one's country and people to the basic principles and values of the United Nations Charter, or of tolerating a situation in which gross force dictates realpolitik. Doubts can also been seen on the part of NATO countries. In an editorial dated 25 March, the *Financial Times* says,

> "So far, Governments of NATO countries are apparently united on bombing, but their publics and parliaments are not." (*"NATO politics", p. 15*)

We do not want to moralize here, but we cannot forget the fact that members of the Security Council bear a special responsibility not only to their peoples but to all Members of the United Nations, upon which decisions of the Council are binding under the Charter. Today's vote is not just on the problem of Kosovo. It goes directly to the authority of the Security Council in the eyes of the world community. Members of the Council cannot ignore the demands that we are now hearing in various parts of the world — made by, among others, the Rio Group, the Council of Defence Ministers of the member countries of the Commonwealth of Independent States and members of the Non-Aligned Movement — to stop the military aggression and to respect international legality.

The capacity of the Security Council to defend the United Nations Charter is key for the future of the United Nations. If the Council cannot do this, then no negotiations or talks about reforming the Council will help.

I will not be asking for the floor after the voting. As I have said, law and lawlessness are in the balance today. It is up to the members of the Security Council to make their choice, which they will do at this public meeting, before the eyes of all the members of the international community, in conditions of full transparency.

The President *(spoke in Chinese)*: I shall now put to the vote the draft resolution contained in S/1999/328.

A vote was taken by show of hands.

In favour:

China, Namibia, Russian Federation

Against:

Argentina, Bahrain, Brazil, Canada, France, Gabon, Gambia, Malaysia, Netherlands, Slovenia, United Kingdom of Great Britain and Northern Ireland, United States of America

The President *(spoke in Chinese)* The result of the voting is as follows: 3 votes in favour and 12 against. The draft resolution has not been adopted because it did not obtain the required majority.

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Eldon (United Kingdom): As Sir Jeremy Greenstock set out in detail in the Security Council debate on 24 March, the international community has over the past year made exhaustive efforts to resolve the crisis in Kosovo through negotiation. Every means short of force was used to try to avert the current situation. These efforts have failed because President Milosevic has flouted the demands of the international community, including successive Security Council resolutions, allowed his forces to continue their violent oppression of civilians in Kosovo and ignored all appeals to negotiate

a political settlement. He has acted in defiance of the expressed will of the Security Council.

As recognized in Security Council resolutions 1199 (1998) and 1203 (1998), it is Belgrade's policies with regard to Kosovo that have caused the threat to peace and security in the region, not the actions of the North Atlantic Treaty Organization (NATO). In the current circumstances, military intervention is justified as an exceptional measure to prevent an overwhelming humanitarian catastrophe.

Adoption of the draft resolution before us today would simply have signalled to President Milosevic that there was no check on his repressive action in Kosovo. It would have done nothing to avert an imminent humanitarian catastrophe. That is why the United Kingdom voted against it.

As I said earlier, our position was explained in great detail in the Council's debate on 24 March. I do not, therefore, want to go too far into the substance of the draft resolution on which we have just voted in my statement now. But I should refer to the suggestion in the Security Council draft resolution, repeated today by the representative of the Russian Federation, that NATO has banned civil flights over a number of countries in the Balkan region. This is incorrect; NATO has no power to do this. What has actually happened is that NATO advised Croatia, Albania, Macedonia and Bosnia that the NATO air strikes could make their airspace unsafe for civil flights. In the light of that advice, these countries decided to close their airspace to such flights. There has therefore been no breach either of the United Nations Charter or of the Chicago Convention.

Mr. Dejammet (France) (*spoke in French*): During the formal meeting held by the Security Council on 24 March 1999, my delegation laid out the reasons for France's involvement in the actions under way in the Federal Republic of Yugoslavia.

The Security Council adopted resolutions 1160 (1998), 1199 (1998) and 1203 (1998) under Chapter VII of the United Nations Charter. In resolutions 1199 (1998) and 1203 (1998), the Security Council affirmed that the deterioration of the situation in Kosovo constituted a threat to peace and security in the region. In resolution 1199 (1998), the Security Council made a certain number of demands addressed, in particular, to the Belgrade authorities.

In its resolution 1203 (1998), the Security Council endorsed and supported the agreements concluded between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe, on the one hand, and between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization, on the other. The Security Council demanded the full and prompt implementation of these agreements by the Federal Republic of Yugoslavia. These agreements involved specific obligations and commitments on the part of the Yugoslav Government.

These obligations have not been respected by Belgrade. Meanwhile, tension, confrontation and the threat of violent repression have increased. The actions decided upon respond to Belgrade's violation of its international obligations under the resolutions which the Security Council has adopted under Chapter VII of the United Nations Charter.

The draft resolution that was submitted to us runs directly counter to our judgement. That is why France voted against it.

Mr. Petrella (Argentina) (*spoke in Spanish*): The delegation of Argentina wishes to explain its position in the voting that has just taken place on the draft resolution in document S/1999/328, submitted by the delegations of Belarus and the Russian Federation and co-sponsored by the delegation of India.

In this connection, we wish to state that Argentina's negative vote was based on the vital need to contribute to putting an end to the extremely grave violations of human rights that are taking place in the province of Kosovo, Federal Republic of Yugoslavia. These violations are clearly documented in many reports of the Secretary-General and inspire the many principles that lie at the core of Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998).

Argentina also wishes to stress that the fulfilment of the legal norms of international humanitarian law and human rights is a response to universally recognized and accepted values and commitments. The obligation to protect and ensure respect for these rights falls to everyone and cannot and must not be debated. That obligation is all the more urgent given that it has been alleged, witnessed and proven that, in that region, extremely serious international crimes have been

committed, including acts of genocide, some of which are being tried in a special tribune established by this Council.

Since 1992, Argentina has been and remains involved in the Balkans through peacekeeping operations. The position we are taking here is based on our own direct experience, acquired in the field. Ultimately, this position, based on fundamental legal principles and on practical experience, cannot come as a surprise. We cannot accept a draft resolution that fails to mention earlier resolutions of the Security Council on the question of Kosovo, disregards the extremely grave humanitarian context and does not take into account the background and precedents of that region. Any document, statement or — as in this case — draft resolution that does not recognize reality lacks balance. It cannot contribute to a peaceful settlement of the problem and encourages the most negative elements at work in the Federal Republic of Yugoslavia.

For all these reasons, we once again respectfully urge all of those with the capacity to exert influence in the region, in particular the Russian Federation, to pursue their valuable and recognized efforts to put an end to this extremely grave crisis and to arrive at a comprehensive and definitive agreement to restore lasting peace.

We sincerely sympathize with the victims of this situation and we are prepared to do all within our capacity to alleviate their suffering, particularly that of the refugees and displaced persons, many of whom have forever lost their homes.

Mr. Rastam (Malaysia): Malaysia fully subscribes to the fundamental principle of the paramount need to preserve the sanctity of the Charter of the United Nations. The Charter confers upon the Security Council the primary responsibility for the maintenance of international peace and security. Malaysia underlined clearly, when the Council met on Wednesday, that any conflict should be resolved through dialogue and political negotiations and not by the use of force. Force, if at all necessary, should be a recourse of last resort and it should be sanctioned by the Security Council.

It is to our great disappointment that serious efforts at finding a peaceful resolution to the conflict in Kosovo have failed. The Yugoslav leadership bears full responsibility for the failure of those efforts, since it continues to reject the Rambouillet accords and chooses to carry out massive military offensives against the people of Kosovo, even at this very hour. We take serious note of the information provided through the letter of the Secretary-General, dated 25 March 1999 in document S/1999/338, in which the Secretary-General of the North Atlantic Treaty Organization (NATO) states that

> "Following the withdrawal of the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe (OSCE) on 20 March, the Federal Republic of Yugoslavia has increased its military activities and is using excessive and wholly disproportionate force, thereby creating a further humanitarian catastrophe". (*S/1999/338, p. 2*)

The draft resolution has completely ignored this reality.

Malaysia remains gravely concerned at the worsening situation on the ground in Kosovo. The violent repression by the Serbian and Yugoslav security forces against the population in Kosovo has increased dramatically in the past few days. The current Serbian military offensive has resulted in further deaths and destruction. Large numbers of civilians, especially women and children, have been forcibly displaced from their homes and villages. The present action by Serb forces against the Kosovar Albanians is certainly creating an immense humanitarian catastrophe. Such a tragic situation calls for appropriate and prompt action by the international community.

Security Council resolutions 1199 (1998) and 1203 (1998) both invoke Chapter VII of the Charter and recognize that the situation in Kosovo constitutes a threat to international peace and security in the region. In resolution 1199 (1998), the Council had demanded that the Yugoslav authorities take immediate steps to improve the humanitarian situation and avert the impending humanitarian catastrophe. The Council had also, in resolution 1203 (1998), demanded that the same authorities implement fully and promptly the ceasefire agreements signed with NATO on 15 October 1998 and with the OSCE on 16 October 1998.

In its presidential statement of 29 January 1999, the Council welcomed and supported the peace process initiated by the Contact Group, culminating in the Rambouillet accords, which the Kosovar Albanians signed on 18 March 1999. Unfortunately, the Yugoslav leadership not only has failed to comply with the resolutions of the Council, but also continues to reject the Rambouillet accords and rebuff all efforts at finding a political solution to the conflict.

In light of the foregoing, Malaysia had no other option but to vote against the draft resolution, as we have just done.

As we also stated during the meeting last Wednesday, Malaysia would have wished that the crisis in Kosovo could have been dealt with directly and in an effective manner by the Security Council. The outcome of the action that the Council has just taken today, however, demonstrates clearly the serious and irreconcilable differences in the Council. Malaysia therefore regrets that in the absence of Council action on the issue it has been necessary for measures to be taken outside of the Council.

Mr. Buallay (Bahrain) *(spoke in Arabic)*: This meeting has been convened by the Security Council in conditions of extreme urgency. The Belgrade authorities have been given one opportunity after another to reach a peaceful settlement to the problem of Kosovo. The party representing the Kosovar Albanians had agreed to a peaceful settlement at Rambouillet and had signed the agreement. The Serb side, however, refused to sign and has continued to use extreme force in the Kosovo region, causing thousands of casualties and displacing thousands of persons. The result is a humanitarian crisis of tremendous proportions that cannot be resolved without the cooperation of neighbouring States.

In view of this situation, we were not able to vote in favour of the draft resolution before the Council today, because it would have encouraged the Belgrade authorities to continue with their current policy of "ethnic cleansing" and led to more massacres and displacements for the Kosovar Albanians.

The President *(spoke in Chinese)*: I shall now make a statement in my capacity as the representative of China.

The continued military strikes against the Federal Republic of Yugoslavia by the North Atlantic Treaty Organization, with the United States at the lead, has already resulted in severe casualties and damage, and the situation in the Balkan region has seriously deteriorated. The Chinese Government strongly opposes such an act, which constitutes a blatant violation of the principles of the Charter of the United Nations and of international law, as well as a challenge to the authority of the Security Council. We would like to reiterate our strong call for an immediate cessation of this military action, so as to facilitate the restoration of peace in the Balkan region at an early date.

China has always stood for the peaceful settlement of disputes through negotiations. We oppose the use or the threat of use of force in international affairs. We oppose the power politics of the strong bullying the weak. We oppose interference in the internal affairs of other States, under whatever pretext, in whatever form. The Chinese delegation would like to reiterate that the question of Kosovo, being an internal matter of the Federal Republic of Yugoslavia, should be resolved by the parties concerned in the Federal Republic of Yugoslavia among themselves.

The Kosovo issue should be settled on the basis of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and of a guarantee of the legitimate rights and interests of all the ethnic groups in the Kosovo area.

It was based on the above principles that the Chinese delegation voted in favour of the draft resolution before us. We deeply regret that the Council has failed to adopt this draft, which is in conformity with the basic principles of the Charter of the United Nations and international law.

I now resume my functions as President of the Council.

The Security Council has thus concluded its voting procedure.

The next speaker is the representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Yel'chenko (Ukraine): Mr. President, I wish to thank you for your invitation to participate in this discussion and to express my gratitude to all other members of the Council for their concurrence with that invitation.

At the outset, I would like to read the statement issued by the Ministry for Foreign Affairs of Ukraine on 24 March 1999, since it expresses the position of my Government with regard to the subject currently under consideration by the Security Council in a most comprehensive and condensed manner. That statement reads as follows:

"It is with deep concern that Ukraine has received the news about the North Atlantic Treaty Organization (NATO) air strikes against the targets on the territory of the Federal Republic of Yugoslavia.

"Adhering to the norms and principles enshrined in the United Nations Charter, Ukraine considers as inadmissible the use of military force against a sovereign State without the authorization of the United Nations Security Council — the only body entrusted to take such decisions in order to maintain international peace and security.

"At the same time, Belgrade's refusal to sign the agreements elaborated through the mediation of the Contact Group resulted in the breakdown of the negotiating process. Therefore, the provisions of Security Council resolutions 1160 (1998) and 1199 (1998) have not been fully implemented, and that led to the use of force.

"Ukraine urges the parties to the conflict, as well as the international community, to urgently exert additional efforts in order to stop the further escalation of the conflict. It is necessary to return as soon as possible to a peaceful political settlement on the basis of the preservation of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the granting of a wide autonomy to Kosovo.

"Ukraine reaffirms its readiness to contribute to the efforts aimed at restoring peace and ensuring stability and respect for human rights, including the rights of national minorities, on the territory of the Federal Republic of Yugoslavia."

That was the statement of the Ministry for Foreign Affairs of Ukraine of 24 March. Even though it was issued as far back as two days ago, all of its provisions remain topical with regard to the current crisis in the centre of Europe. My country has good grounds to be seriously concerned about this crisis, because it is fraught with the danger of unpredictable consequences. We are ready to do everything possible in order to avert such consequences.

That is why Ukraine has already become actively involved in the efforts to stop the crisis and to achieve a peaceful solution of the Kosovo problem. I would like to inform this body, which we still believe bears the primary responsibility for the maintenance of international peace and security, about the current visit to Belgrade by the Foreign Minister of Ukraine, Mr. Tarasyuk, which is under way as we speak. This peacemaking mission, undertaken by the Foreign Minister of Ukraine, is further proof of the sincere aspiration of my country to contribute constructively to the cause of finding a solution to the conflict and to the restoration of peace and stability in the entire Balkan region.

In the course of negotiations with the leadership of the Federal Republic of Yugoslavia, the Ukrainian Foreign Minister will put forward a number of concrete proposals which could lead to the suspension of NATO air strikes against the Federal Republic of Yugoslavia, the resumption of the negotiating process between the parties to the conflict in Kosovo, the return of the Organization for Security and Cooperation in Europe Verification Mission, the settlement of the refugee problem, the preservation of the territorial integrity of the Federal Republic of Yugoslavia and the granting of wide autonomy to Kosovo.

One of the specific proposals to be made by the Foreign Minister of Ukraine is to reconsider the question of the guarantees to secure the political settlement in Kosovo through the deployment there of a multinational peacekeeping force with a composition acceptable to all parties. As soon as I receive information about the results of negotiations in Belgrade, I will immediately make them known to the members of the Security Council.

In the meantime, I would like to emphasize that the sine qua non of any peaceful solution must be full implementation by both the authorities of the Federal Republic of Yugoslavia and the leaders of the Kosovo Albanian community of all the relevant provisions of Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998), first of all with regard to the maintenance of an effective ceasefire and withdrawal of Serbian security forces involved in the repressive actions against the population in Kosovo.

I do not want to comment on the results of the vote that has just been taken. I just want to say, on a personal note, that the discussion we have heard reminded me very much of the grim times of the cold war. I sincerely believe that it is not the wish of anyone in this room that those grim times come back.

The President (*spoke in Chinese*): In accordance with the decision taken at the 3988th meeting, I now invite Mr. Jovanović to make a statement.

Mr. Jovanović: My country has been a victim of the brutal unlawful aggression of the North Atlantic Treaty Organization (NATO), led by the United States of America, for the third straight day. The most powerful war machine in the world has made a sovereign and peaceful country and its proud people into a killing field and a testing ground for its most sophisticated weaponry and military games.

Tramping upon each and every principle of international relations, defying the authority of the Security Council of the United Nations and its resolutions and outperforming even the Nazis in its animosity towards and hatred of the Serbian and Montenegrin people, NATO, led by the United States of America, has engaged in a mad orgy of destruction and havoc against one small and peace-loving country. They disgracefully distort the truth about the events in Kosovo and Metohija, openly supporting and assisting separatists and terrorists and demonizing the Serbian people and my country in a shameless attempt to manipulate the world public and provide a cover for their aggression.

By attacking Yugoslavia, NATO aircraft have become the air force and the ally of the terrorist Kosovo Liberation Army (KLA). The NATO aggression has stepped up the KLA terrorist activities, not only against the Yugoslav security forces, but also against civilians, including Albanians. A victim of this aggression, we have no choice but to defend ourselves and preserve our sacred land of Kosovo and Metohija, which is the soul of the Serbian national being. Opposing the aggression, we also uphold the basic principles of the Charter of the United Nations.

The aggression and the massive and reckless bombing campaign is not limited to the so-called military targets alone, but brings death to hundreds of civilians and destroys property. In a callous act, the aggressors did not spare the memorial park in the martyr city of Kragujevac, in which tens of thousands of victims of Nazi genocide from the Second World War are buried, or the museum town of Cetinje, which have no military significance at all. Two camps of Serbian refugees from Croatia and Bosnia and Herzegovina and two student hostels were hit, as well.

For the third time in this century, the Serbian people have been presented with an ultimatum. In 1914, the Habsburgs issued an ultimatum, demanding the Kingdom of Serbia so as to throw its sovereignty underfoot, but the Serbian people rejected it. In 1941, the Axis Powers gave the Kingdom of Yugoslavia an ultimatum to join them or be destroyed. The Serbs refused to capitulate and rejected the ultimatum once again.

Now Yugoslavia is faced with another ultimatum, this time from NATO — from so-called democratic countries. It has been offered two alternatives: either voluntarily to give up a part of its territory or to have it taken away by force. This is the essence of the "solution" for Kosovo and Metohija that was offered by way of an ultimatum at the "negotiations" in France.

The flagrant aggression by NATO countries, led by the United States, cannot be justified on any grounds whatsoever. The fact that they change position and objectives every day is telling proof that they do not believe in what they are saying themselves. If the aggression goes on, the Federal Republic of Yugoslavia will continue to protect its sovereignty and territorial integrity on the basis of Article 51 of the United Nations Charter. However, once the aggression is stopped, we will be ready to resume negotiations about political solutions of the problem in Kosovo and Metohija on the basis of the 10 principles adopted by the Contact Group on 29 January 1999 and the document signed in Paris by the members of our delegation.

By attacking Yugoslavia, NATO has not solved the alleged humanitarian catastrophe in Kosovo and Metohija, which they so maliciously presented as a *casus belli*; on the contrary, they themselves are creating a catastrophe of enormous proportions for all citizens of Yugoslavia and for peace and stability in the region and beyond.

Their aggression is unjust, illegal, indecent and unscrupulous. The aggressor displays arrogant contempt for the United Nations and its Charter and arrogates the prerogatives of the Security Council as the only organ in charge of maintaining international peace and security. The United Nations should not allow them to rob it of its rights and duties. The Security Council is in a position to prevent this if it strongly condemns the aggression today and requests NATO to stop it immediately and unconditionally.

If the Security Council fails to do so it will be responsible for the breakdown of the present system of international relations. Today the Security Council is not taking only a decision on the fate of my country, but a historic decision on its own future as well. It is up to the Council to decide whether it will retain the responsibility that it bears under the Charter for the maintenance of international peace and security, or whether it will cede

that responsibility to NATO. Today, the Council has made its choice. The right of might will be enthroned instead of the might of right.

The President (*spoke in Chinese*): The next speaker is the representative of Belarus. I invite him to take a seat at the Council table and to make his statement.

Mr. Sychou (Belarus) (*spoke in Russian*): As before, the Republic of Belarus is extremely concerned at the illegal aggressive military action that the North Atlantic Treaty Organization (NATO) is carrying out against the Federal Republic of Yugoslavia. It was because of the primary responsibility that the Security Council bears for the maintenance of international peace and security that the Republic of Belarus was among the States that called for the convening of an emergency meeting of the Council and that joined in sponsoring the draft resolution that was before the Council at this meeting.

The President and the Government of the Republic of Belarus have repeatedly declared their commitment to a peaceful settlement of this conflict. We are convinced that even today opportunities for continuing dialogue can and should be found. It is there that we see the key role of the Security Council pursuant to its powers under the United Nations Charter.

In that connection, we express our profound concern and disappointment at the fact that the draft resolution was not adopted. The Republic of Belarus considers that decision by the Council to be utterly counterproductive. In view of the continuing massive military strikes against a sovereign State, in view of the civilian casualties and in view of all the destruction, it is scarcely possible to accept the arguments put forward by representatives of NATO about the alliance resolving the humanitarian crisis in Kosovo through the use of force. We are firmly convinced that the use of force will not promote stability or put an end to the confrontation between the parties. The decision to use force, which is an extreme measure, may be made only by the Security Council taking into account the views of the States Members of the Organization.

Today, we are witnessing a negative turn of events: the violation of basic principles of international law that make no provision for military intervention for humanitarian purposes. The consequences of these actions cannot be predicted. They threaten to undermine the United Nations system and, indeed, international relations as a whole. The Republic of Belarus again calls on the Security Council to take all necessary steps to put a halt to these NATO military actions and to stop the bloodshed. We also call for the resumption of the work of the Contact Group on the former Yugoslavia, in the interest of the resumption of dialogue between the parties to the conflict and of advancing the peace process in the region. We believe that the present events give the Organization a historic opportunity to demonstrate to the entire world the supremacy of the principles and ideals that are enshrined in the United Nations Charter.

The Republic of Belarus reaffirms its position on the settlement of the Kosovo conflict: it should be based on unconditional respect for the sovereignty and territorial integrity of Yugoslavia and on the non-use of force, in keeping with the rights of all ethnic groups. Scrupulous adherence to those principles alone will guarantee the establishment of a solid, lasting peace in Kosovo.

The President (*spoke in Chinese*): The next speaker is the representative of Cuba. I invite him to take a seat at the Council table and to make his statement.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): With this shameful vote, the Security Council has just missed a historic opportunity. By their vote, Council members have assumed an enormous responsibility.

I wish at the outset to read out a statement issued by the Republic of Cuba on the aggression by the North Atlantic Treaty Organization (NATO). That statement reads as follows:

> "Following a series of distressing and highly manipulative political events, prolonged armed clashes, and complex — and hardly transparent — negotiations on the question of Kosovo, the North Atlantic Treaty Organization (NATO) finally launched its heralded brutal air attacks against the Federal Republic of Yugoslavia, whose peoples were the most heroic of those who fought the Nazi hordes in Europe during the Second World War.
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> "This action, intended to 'punish the Yugoslav Government', is being conducted outside the context of the Security Council, where the main promoter of the aggression, the United States, would have had to face opposition by other members which from the outset have vigorously opposed any action that could undermine the prerogatives of that organ under the United Nations Charter with respect to the maintenance of international peace and security.

This has thus led to a violation of the norms and principles of international law.

"The war launched by NATO revives mankind's justified fears concerning the emergence of a contemptuous uni-polar system governed by a warlike empire that has declared itself to be the world's policeman and that is capable of dragging its political and military allies into the most foolish of actions. This is similar to what took place early and during the first half of this century with the creation of military blocs that enshrouded Europe in destruction, death and misery, dividing it and weakening it as the United States built up its own economic, political and military might.

"We may well ask whether the use and abuse of force will solve the world's problems and protect the human rights of the innocent people who are dying today because of the missiles and bombs that are falling upon a small country of cultured, civilized Europe.

"The Ministry of Foreign Affairs of the Republic of Cuba vigorously condemns this aggression against Yugoslavia by the North Atlantic Treaty Organization (NATO), under the leadership of the United States, and it denounces the dishonest manoeuvring that has led to the continued imposition of such uncivilized practices on the international political scene in order to satisfy the interests of those seeking to impose their designs on all the States of the globe in the name of a new and unworthy world order, created in their image and likeness.

"During this time of suffering and pain for the peoples of Yugoslavia, Cuba urges the international community to rally its forces in order to put an immediate end to this unjustifiable aggression, to avoid further and even more regrettable losses of innocent life and to allow that nation to resume the peaceful course of negotiations so as to solve its internal problems — matters that depend solely and exclusively on the sovereign will and self-determination of the Yugoslav peoples.

"Cuba expresses its concern that the aggression could, in an unpredictable manner, spread to the other States of the region, either because of the violence itself or because of its unsettling social and human effects.

"The ridiculous attempt to impose solutions by force is incompatible with any civilized reasoning and with the essential principles of international law. The firmness of the positions that are being used to try to justify this new crime only reflects the moral impossibility of sustaining ideas and policies that run counter to the interests of the peoples involved in the conflict and of imposing on them an imperial will. If this course were to be continued, there could be unforeseeable consequences for Europe and for all of humankind."

We are living in a shameful time in which international legality is being violated. Never before has the unipolar order imposed by the United States been so obvious and so disturbing. When the Security Council serves as its docile instrument, then the United Nations seems to be working, and its foundations — the Charter and international law — seem to be in force, although they are always subject to capricious interpretations and gross manipulation.

Some days ago we were surprised to witness an occasion on which the Security Council refused to authorize an international criminal act by the United States and its accomplices. Today we have witnessed the capitulation of the Security Council. When the Security Council plucks up its courage and refuses to yield to unipolar might, and tries to fulfil the responsibilities that the Charter and the community of nations have entrusted to it, then the super-Power, which does not accept lack of discipline on the part of its subjects, takes matters into its own hands.

The no-flight zones, the missiles striking Kabul, Khartoum, Tripoli, Baghdad and Benghazi, and now Pristina, Pancevo and other cities, remind us of the harsh realities of global disorder. Wnat is going to become of the Security Council, or at least of its remains, after today's vote? What will become of the United Nations?

While on the ground floor of this building there is talk of reform, democracy and transparency, in this high command — the Security Council — everyone's real position becomes painfully clear: the positions of those who play with words in order to conceal hegemonic interests, and of those of us who make up the great majority that is always ignored and always subject to the political pressure of the powerful, because the majority often forgets the weight of our countries when we unite to reclaim our place. If we do not take our rightful place, the United Nations, instead of developing as the emerging

government of a global democracy in a globalized and united world, will merely be a crude, repressive instrument of the powerful, as this meeting has made clear.

No one can forget in these tragic circumstances, in which the destiny of us all is at stake, the historic contribution made by the Serbs during the Second World War, when they fought more heroically than any other people against fascism and against the Nazi hordes in occupied Europe. Humankind cannot be stripped of its memory, however intoxicated it may be by technology used to disseminate lies or by television used to promote war. It must be recalled here and now — because it is a fact — that these are the bitter fruits of a conspiracy to destroy Yugoslavia. That is what is at the root of this conflict and of the grave events we are now experiencing.

Some of those who today are brutally bombing in the past conspired and fought to dismember that noble and multi-ethnic country. Today they are punishing some of those they previously promoted. Bombs are not the path to peace. War is no humanitarian solution. History teaches us that only negotiations can build peace. Cuba hopes that — without delay, because every minute costs lives — an end will be put to the armed aggression, and there will be a resumption of negotiations in order to reach a just and lasting peace, as a condition for full respect for the rights and the dignity of all the ethnic groups, peoples and religions of the former Yugoslavia.

The President (*spoke in Chinese*): The next speaker on my list is the representative of Bosnia and Herzegovina. I invite him to take a seat at the Council table and to make his statement.

Mr. Sacirbey (Bosnia and Herzegovina): The last time we spoke before the Security Council we emphasized in our statement that resorting to the military alternative is never welcome. We would only wish to further proclaim that view. Unfortunately, though, on the basis of events in Kosovo over the last couple of days, we can only come even more surely to the conclusion that military force sometimes is the only alternative left.

We want to join all who believe that the most prompt cessation of all military action is desirable. But have any of the demands made by the Security Council in past resolutions, or the demands of the Contact Group, been accepted? Has Belgrade accepted the peace plan?

Unfortunately the Serbian defence against the North Atlantic Treaty Organization (NATO) has primarily consisted of an intensified campaign against its own civilian population, particularly the Kosovar Albanians. But this goes beyond the issue of courage and morality. It goes to the heart of the only two visible strategies pursued by Belgrade: "Let NATO bomb; we will hurry up to create faits accomplis on the ground by completing the tactic of ethnic cleansing. If some Serbs are hurt, if they have to die, and if more Kosovars are killed, so be it, so much the better."

Does anyone remember the ethnic cleansing and genocide committed against Bosnians? I must say that I feel deeply disturbed, even insulted, when after the experience in Bosnia some rush to condemn military measures to confront Belgrade's continuing resistance to peace and escalated ethnic cleansing campaign. Who are the real victims and who are the victimizers?

Should those rushing to complete ethnic cleansing hope to garner sympathy while the civilian victims of such cleansing wonder if they are being forgotten, or even ignored? Did we learn something from the Bosnia experience, at least gain sensitivity to the victims of genocide?

Let me set aside my moral outrage. Let me turn to the alternatives of realpolitik. Do the supporters of this draft resolution believe that a unilateral end to NATO's action would produce anything positive for Kosovo, for Bosnia and Herzegovina or for the region as a whole? The Belgrade authorities would only then claim a victory, the victory of a brave fighter standing up to the mightiest military force on earth. The new mythology of the Battle of Kosovo, 1999, would be written and the current Belgrade authorities would use this as a revitalized tool, a weapon of war, against the Kosovars, Bosnia and our other neighbours; indeed, as a tool to further enslave the emotions and minds of the Serb people themselves.

If this draft resolution had been adopted or even succeeded in garnering significant support, this would have been a defeat for peace in Bosnia and Herzegovina. Let me emphasize: that would have been a defeat for peace in Bosnia and Herzegovina. We are not here to preach morality, but we are here to plead for the cause of peace in our country and the region as a whole.

Let me take note of one final point — and I am very happy to see that the Secretary-General has been here throughout this entire debate. Like many other Members of the United Nations, we are concerned by the implications of this matter: the NATO military action

being undertaken without the sanction of the United Nations Security Council. However, we would be even more concerned and dismayed if the Security Council were blocked and there were no response to the humanitarian crisis and to the legal obligation to confront ethnic cleansing and war crime abuses.

The Security Council has on numerous occasions called for Belgrade to refrain from its disastrous policies in Kosovo. Belgrade has refused to heed the Security Council. Then the Contact Group was given the mandate of bringing peace. The Contact Group made several fair and progressive proposals for peace. The Kosovar Albanians accepted a proposal. Belgrade rejected the peace proposal and actually responded by intensifying its resort to military force against the Albanian Kosovars. Finally, all the Contact Group members except one resorted to the only step available, the step that had been threatened for quite some time against Belgrade's obstinacy.

Is the Security Council now to be used as a marginalized institution to actually block or criticize the only viable response in order to bring peace and to stop vast human rights abuses? Remember, these abuses are themselves the most serious violations of the United Nations Charter. I do not need to cite the Ambassador of Slovenia, Danilo Türk, on this point.

When the war against Bosnia and Herzegovina was being waged, the United Nations was too frequently criticized, even savaged, for its ineffectiveness in stopping the war in Bosnia and Herzegovina — the human rights violations, genocide and aggression that we suffered. Unfortunately, even we were too frequently a part of pointing the finger at the United Nations. For this we would like to apologize to all those who may have misunderstood us in our time of deep need.

Now, in hindsight, it is clear that responsibility in the failures and successes of Bosnia lay with the United Nations Members themselves, particularly the most powerful: the members of the Security Council. The same responsibility now exists with respect to Kosovo. Let us not once again allow the Security Council and the United Nations to be seen as ineffective in, or even as an obstacle to, the necessary steps for peace or, even more so, for stopping the vast human rights abuses.

In the alternative, should we debate here in the Security Council the necessary response to what is going on in Kosovo, to what Belgrade is doing in Kosovo, as we did for Bosnia and Herzegovina for three and a half years? Do we have the luxury of that time? Are we to set aside daily the lives that are being wrecked and lost?

Why does Bosnia and Herzegovina speak before the Security Council today? Well, first of all, let me mention that there is the issue of self-interest. And I would like to correct one point: Bosnia and Herzegovina's airspace is closed on the basis of our own decision. I believe the case with Croatia is the same.

There is also an issue of history. Just before my statement, I heard the representative of Cuba speak of the fight of the Serbs against Nazism. The Bosnians were part of that fight. My uncles died in that fight. The greatest resistance to the Nazis was found in Bosnia. I do not with to see history once again rewritten here on another point.

There is also a moral obligation. We in Bosnia came and pleaded before the Security Council, and then pleaded outside the Security Council to the Contact Group and others, for any salvation, any response. Thanks to many of the countries around this table — France, the United Kingdom, the United States and many others — that response finally came. We say it was late, but it was welcome. We do not wish to see now a response come too late for the Kosovars. We do not wish to see once again a response come late once again for Bosnia, if once again injustice, nationalism and ethnic cleansing are allowed to go undisturbed in our region.

I would be here before the Council if the issue were Sierra Leone or any other situation that deserved its urgent attention.

Unfortunately, in today's world it seems that we cannot hope for the United Nations and the Security Council to always be effective and prompt in bringing peace. That is unfortunately the reality that we deal with. But at least we should not allow the Security Council and the United Nations to be seen as an obstacle.

The President (*spoke in Chinese*): The next speaker is the representative of India. I invite him to take a seat at the Council table and to make his statement.

Mr. Sharma (India): It is a matter of very great concern to us that the attacks of the North Atlantic Treaty Organization (NATO) on the Federal Republic of Yugoslavia continue, with the Security Council reduced to helplessness. As we said in the Council when it met on 24 March, we expected it to exert its authority to bring

about an early return of the peace that was broken by the bombing. The draft resolution prepared by the Russian Federation has aims to which we completely subscribe. It calls for an immediate end to this senseless violence and it seeks to re-establish the authority of the Security Council, which has been one of the early victims of NATO's bombing campaign. We therefore joined as a co-sponsor.

We deeply regret that the Council has not adopted this draft. The effect will be to prevent a return of the peace that the international community so dearly wants and which permanent members, three of whom cast vetoes in pursuit of national interests, have a special responsibility to uphold.

It is clear that NATO will not listen to the Security Council. It would appear that it believes itself to be above the law. We find this deeply uncomfortable. In New Delhi earlier today, the External Affairs Minister said that India cannot accept any country's taking on the garb of a world policeman. NATO argues that the Serb police in Kosovo act violently and without any respect for law. Unfortunately, NATO seems to have taken on the persona and the methods of operation of those whose activities it wants to curb.

It is natural to be revolted by violence and to want to put an end to human suffering. However, between nations as within them, populations can be protected, the law upheld and those who break it punished only through legal means. The cure otherwise is as bad as the disease. It is also very rarely effective and often makes things worse. Those who take the law into their hands have never improved civic peace within nations; neither will they help in international relations.

Those who continue to attack the Federal Republic of Yugoslavia profess to do so on behalf of the international community and on pressing humanitarian grounds. They say that they are acting in the name of humanity. Very few members of the international community have spoken in this debate, but even among those who have, NATO would have noted that China, Russia and India have all opposed the violence which it has unleashed. The international community can hardly be said to have endorsed their actions when already representatives of half of humanity have said that they do not agree with what they have done.

Mr. Fowler (Canada): The representative of India made reference to the fact that three vetoes had been cast in this morning's voting. I would simply like to point out, as the representative of a country that is rather sensitive about the issue of the veto, that my understanding is that the rules are very clear. There were no vetoes cast this morning. A veto is cast only when it overrides nine positive votes, and that was not the case this morning.

Mr. Dejammet (France) (*spoke in French*): I entirely associate myself with the statement just made by the representative of Canada.

The President (*spoke in Chinese*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 1 p.m.